

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 07-CR-73

CHARLES T. MC INTOSH,

Defendant.

ORDER

Defendant Charles T. McIntosh was convicted on his plea of guilty to Conspiracy to Distribute Crack Cocaine in violation of 21 U.S.C. §§ 846, 841(a)(1), 841(b)(1)(A) and 18 U.S.C. § 2 and sentenced to 216 months in prison. A Judgment of Conviction was entered on September 7, 2007. On September 29, 2008, McIntosh filed a pro se motion seeking a reduction in his sentence based in part upon 18 U.S.C. § 3582(c)(2), which authorizes the retroactive application of the provisions of the United States Sentencing Guidelines, reducing the offense severity score for crack cocaine offenses. Counsel was appointed to assist as to that issue and reached a stipulation with the Government for a reduction of McIntosh's sentence to 173 months. The Court has approved the stipulation and entered an order amending the Judgment to reflect a new sentence. On July 2, 2009, McIntosh filed a motion he described as a "Bill of Review Atlas Motion." (Docket [132].) The motion raises no issue that is reviewable at this stage of the proceedings. Moreover, the time for filing a motion for post-conviction relief has lapsed. Accordingly, the motion is denied.

SO ORDERED this 19th day of October, 2009.

s/ William C. Griesbach

William C. Griesbach

United States District Judge